BUREAU OF AUTOMOTIVE REPAIR

ORDER OF ADOPTION

The Bureau of Automotive Repair hereby adopts the following regulations in Article 5.5 of Chapter 1 of Division 33 of Title 16 of the California Code of Regulations:

(1) Section 3340.42 is amended to read as follows:

§ 3340.42. Mandatory Emissions Inspection Standards and Test Procedures.

Smog check stations and smog check technicians shall conduct tests and inspections in accordance with the bureau's BAR Test Analyzer System Specifications referenced in section 3340.16.7(a) or the BAR Emissions Inspection System Specifications referenced in section 3340.16.7(b), whichever is appropriate, and the following:

(a) There shall be two test procedures as follows~~.~~:

(1) The loaded-mode test method shall be the primary test method used in the enhanced program areas ~~and the idle mode test method shall be used in all other program areas~~ of the state. The loaded-mode test method shall measure hydrocarbon, carbon monoxide, carbon dioxide and oxides of nitrogen emissions. The loaded-mode test equipment shall be Acceleration Simulation Mode (ASM) test equipment, including a chassis dynamometer, certified by the bureau. The loaded-mode test procedures, including the preconditioning procedure, shall only be conducted according to the bureau approved procedures specified in this section and include the following:

~~(1) A loaded mode test method shall measure hydrocarbon, carbon monoxide, carbon dioxide and oxides of nitrogen emission. The loaded mode test equipment shall be Acceleration Simulation Mode (ASM) test equipment, including a chassis dynamometer, certified by the bureau. The loaded-mode test procedures, including the preconditioning procedure, shall only be conducted according to bureau approved procedures and include the following:~~

(A) Place the vehicle's driving wheels on a chassis dynamometer and properly restrain the

vehicle prior to commencing the test.

(B) Exhaust emissions shall be tested and compared to the emission standards set forth in this section and as shown in TABLE I or TABLE II, as applicable.

(C) With the vehicle operating, sample the exhaust system in the following sequence:

1. Accelerate the vehicle to the cruise condition as specified by the test procedures.

2. Operate the vehicle long enough to stabilize emission levels.

3. Measure and record emissions (hydrocarbons, carbon monoxide, carbon dioxide, and oxides of nitrogen).

(2) The two-speed idle mode test method shall be used in all ~~other~~ program areas of the state, other than the enhanced program areas. The two-speed idle mode test method shall measure hydrocarbon, carbon monoxide and carbon dioxide emissions at high RPM and again at idle RPM, as contained in the bureau's specifications referenced in Section 3340.16.7(a). Exhaust emissions from a vehicle subject to inspection shall be tested and compared to the emission standards set forth in this section and as shown in TABLE III.

~~(A) The idle mode test method shall measure hydrocarbon, carbon monoxide and carbon dioxide emissions at high RPM and again at idle RPM, as contained in the bureau's specifications.~~

~~Exhaust emissions from a vehicle subject to inspection shall be tested and compared to the emission standards set forth in this section and as shown in TABLE II or TABLE III, as applicable.~~

(3) All tests shall be performed with the engine at its normal operating temperature.

(4) All loaded mode testing shall be conducted in a manner which does not induce excess emissions to the test.

(b) There shall be a liquid fuel leak inspection as follows:

(1) As used in this section, "liquid fuel leak" means any fuel emanating from a vehicle's fuel delivery, metering, or evaporation systems in liquid form that has created a visible drop or more of fuel on a component of a vehicle's fuel delivery, metering, or evaporation system or has created a fuel puddle on, around, or under a component of a vehicle's fuel delivery, metering, or evaporation system.

(2) With the engine running, the smog check technician shall visually inspect the following components of the vehicle, if they are exposed and visually accessible, for liquid fuel leaks:

(A) Gasoline fuel tanks.

(B) Gasoline fill pipes, associated hoses and fuel tank connections.

(C) Gas caps.

(D) External fuel pumps.

(E) Fuel delivery and return lines and hoses.

(F) Fuel filters.

(G) Carburetors.

(H) Fuel injectors.

(I) Fuel pressure regulators.

(J) Charcoal canisters.

(K) Fuel vapor hoses.

(L) Any valves connected to any other fuel evaporative component.

(3) If a smog check technician detects a liquid fuel leak, the technician shall enter "F" (Defective) in the "Fuel Evaporative Controls" category of the visual inspection when prompted by the test analyzer system or emissions inspection system, as appropriate, and the vehicle shall

fail the inspection.

(4) Smog check technicians shall indicate on the vehicle inspection report the location of any liquid fuel leak.

(5) The liquid fuel leak inspection required by this section is a visual inspection only. Smog check technicians are not required to perform any disassembly of the vehicle to inspect for liquid fuel leaks. No special tools or equipment, other than a flashlight and mirror, are required and no raising, hoisting or lifting of the vehicle is required.

(6) Expenditures for repairs made at a licensed smog check station to correct liquid fuel leaks detected during a smog check inspection shall be credited toward the repair cost waiver expenditure specified in Section 44017 of the Health and Safety Code, or applied to the repair assistance program co-payment specified in Section 44062.1 of the Health and Safety Code and Sections 3340.9 and 3394.4 of this chapter.

(7) Nothing in this subsection shall prohibit a technician from refusing to inspect a vehicle or from aborting an inspection if a liquid fuel leak presents a safety hazard.

(8) This subsection shall not apply to vehicles fueled exclusively by compressed natural gas (CNG), liquid natural gas (LNG), or liquid petroleum gas (LPG).

(c) Pursuant to section 39032.5 of the Health and Safety Code, gross polluter standards are as follows:

(1) A gross polluter means a vehicle with excess hydrocarbon, carbon monoxide, or oxides of nitrogen emissions pursuant to the gross polluter emissions standards included in TABLES I, II or III.

(2) Vehicles with emission levels exceeding the emission standards for gross polluters during an initial inspection will be considered gross polluters and the provisions pertaining to gross

polluting vehicles will apply, including, but not limited to, sections 44014.5, 44015, 44017 and 44081 of the Health and Safety Code.

(3) A Gross polluting vehicle shall not be passed or issued a certificate of compliance until the vehicle's emissions are reduced to or below the applicable emissions standards for the vehicle as indicated in TABLES I, II, or III. However, the provisions described in section 44017 of the Health and Safety Code may apply.

(4) This subsection ~~shall become effective immediately and~~ applies in all program areas statewide to vehicles requiring inspection pursuant to sections 44005 and 44011 of the Health and Safety Code.

(5) The gross polluter emission standards in TABLE III shall be used to determine if a vehicle shall be designated as a gross polluter.

(d)(1) In the enhanced program areas, heavy-duty vehicles shall be tested using the loaded-mode testing method as provided in subsection (a)(1), unless:

(A) The vehicle has a drive axle weight that exceeds 5,000 pounds when the vehicle is unloaded, or

(B) The vehicle is classified by the Department of Motor Vehicles as a motorhome, or

(C) The vehicle has a body and/or chassis configuration or modification made for business purposes that renders the vehicle incompatible with loaded-mode testing, or

(D) The emission inspection system prompts the technician to perform the two-speed idle test.

(2) For the purposes of this subsection, the term "unloaded" shall mean that the vehicle is not currently transporting loads for delivery or is not carrying items of a temporary nature, but excludes items that have been welded, bolted or otherwise permanently affixed to the vehicle,

and tools, supplies, parts, hardware, equipment or devices of a similar nature that are routinely carried in or on the vehicle in the performance of the work for which the vehicle is primarily used.

(3) For the purposes of this subsection, modifications that render a vehicle incompatible with loaded-mode testing shall not include any tire, wheel, body or chassis modifications made for other than business purposes.

(4) If it is determined that a heavy-duty vehicle cannot be subjected to a loaded-mode test for any of the reasons set forth in paragraphs (A) through (D) of subsection (d)(1), the technician shall perform a two-speed idle test. The technician shall also note on the final invoice the justification for the performance of a two-speed idle test.

[DELETE EXISTING, BUT INOPERATIVE, TABLE II, AND INSERT NEW TABLE II HERE.]

NOTE: Authority cited: Sections 44002, 44003, 44013 and 44036, Health and Safety Code. Reference: Sections 39032.5, 44002, 44003, 44005, 44011, 44011.3, 44012, 44013, 44014.5, 44015, 44017, 44032, 44036, 44062.1 and 44081, Health and Safety Code.

(2) Section 3340.42.1 is repealed as follows:

~~**§ 3340.42.1. Mandatory Exhaust Emissions Inspection Standards and Test Procedures for Heavy-Duty Vehicles Powered by Gasoline.**~~

~~Heavy-duty vehicles powered by gasoline shall be tested in accordance with section 3340.42 of this article, and their exhaust emissions measured for compliance with the standards, including gross polluter standards, shown in Tables II or III, as applicable.~~

~~NOTE: Authority cited: Sections 44002, 44011 and 44013, Health and Safety Code. Reference: Sections 39032.5, 44010.5, 44011, 44012 and 44036, Health and Safety Code.~~

/s/
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